

Notice of Allowability

Application No.

10/766,509

Examiner

Ghassem Alie

Applicant(s)

GRANGER, MAURICE

Art Unit

3724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 01/17/07.
2. ☒ The allowed claim(s) is/are 1-19.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL:

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 03/29/07.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a communication with Jeff Rothenberg (Reg. No. 26,429) on 03/29/07.

The application has been amended as follows:

In the abstract:

Line 1, "dispenser apparatus comprises a basic housing" has been changed to -- dispenser apparatus includes a basic housing--.

Line 2, "a cartridge comprising two transverse flanges" has been changed to -- a cartridge including two transverse flanges.

Lines 5-6, "actuation mechanism comprising a fixed cam" has been changed to -- actuation mechanism which includes a fixed cam--.

In the claims:

Claim 1, lines 14-15, "transmission means making it possible to implement the functioning of a movable cam" has been changed to --transmission means having a movable cam--.

Reasons for Allowance

2. The following is an examiner's statement of reasons for allowance: The claims are allowable because the prior art fails to teach a third toothed ring cooperating with a mechanism for starting rotation of the drums. The prior art also fails to teach that the

mechanism includes a transmission means having a movable cam allowing emergence of the cutting blade from the first drum, and the fixed cam and movable cams cooperate with one another at defining a path of the cutting blade, as set forth in claim 1.

Regarding claim 1, Kapiloff et al. (6,684,751), Kapiloff, teaches an automatically cutting dispensing appliance for wiping material of the type comprising a basic housing with a back face, a lower face, and receiving an articulated lid. Kapiloff also teaches that the housing receives cartridge defining a carrier structure including two transverse flanges receiving an upper part, connectors for supporting a reel of material, and a lower part. Kapiloff also teaches that two drums are arranged side by side without direct contact between them. Kapiloff also teaches a first drum being a blade carrier drum and a second drum being a guide drum. Kapiloff also teaches that the drums at one of their ends facing one another have first and second toothed rings allowing the connection and rotation of the drums with respect to one another. However, Kapiloff fails to teach a third toothed ring cooperating with a mechanism for starting rotation of the drums. Kapiloff also fails to teach that the mechanism includes a transmission means having a movable cam allowing emergence of the cutting blade from the first drum, and the fixed cam and movable cams cooperate with one another at defining a path of the cutting blade, as set forth in claim 1.

None of these references by themselves or in combination with the other prior art cited teach the claimed invention set forth in claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the

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issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Comment

3. In view of the amendments to claims 1-19, rejection of the claims under 35 U.S.C. 112, second paragraph is withdrawn.

Conclusion


4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ghassem Alie whose telephone number is (571) 272-4501. The examiner can normally be reached on Mon-Fri 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer Ashley can be reached on (571) 272-4502. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, SEE <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GA/ga

March 29, 2007


BOYER, ASHLEY
SUPERVISORY PATENT EXAMINER